

Application Serial No. 10/715,047
Reply to Office Action of September 9, 2004

PATENT
Docket: CU-3998

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-3 are pending in the present application before this amendment. By the present amendment, Claim 1 has been amended. No new matter has been added.

Claims 1-3 stand rejected under 35 U.S.C. § 112, ¶1 as failing to comply with the written description requirement.

The Office Action indicates that the device as recited in Claim 1, lines 3-5, is not clear because "... of a curved portion of the stick member..." does not allegedly appear to be supported by the drawings since the stick member has no curved portion. The Office Action also indicates that Claim 1, line 5, reciting "the base member is fixed in parallel to the stick member" is not allegedly shown in the drawings or described in the Specification.

Applicant respectfully points out that the Specification including claims and the drawings of the **originally filed** application are the basis of the original disclosure according to the 35 USC §132 and the pertinent USPTO rules MPEP §2163.06. It is respectfully submitted that at minimum all physical aspects of the present invention are clearly depicted in the FIGS. 1-4 of the originally filed drawings in an enabling manner.

Accordingly, Claim 1 has been amended to clearly recite the present invention as disclosed in FIGS. 1, 2a, 2b, and 3, in response to the Examiner's rejection of Claim 1. No new matter has been added since the present amendments to Claim 1 are clearly supported by at least FIGS. 1, 2a, 2b, and 3 of the originally filed drawings. Accordingly, withdrawal of the rejection is respectfully requested.

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The disclosure stand objected to for containing informalities. In particular, the Office Action states that the Specification page 3, lines 12-14 and page 5, line 22 to page 6, line 1 is not clear.

In response, the indicated texts of the Specification have been amended to better clarify and describe the physical features of the present invention as shown in FIGS. 1, 2a, 2b, and 3. No new matter has been added since the present amendments to the Specification are clearly supported by at least FIGS. 1, 2a, 2b, and 3 of the originally filed drawings. Withdrawal of the objection to the Specification is respectfully requested.

For the reasons set forth above, Applicant respectfully requests an indication of withdrawal of the standing rejections and objections, and further requests an indication of allowable subject matter of Claims 1-3 presently pending. This amendment is considered to be responsive to all points raised in the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and earnestly solicits an indication of allowable subject matter. Should the Examiner have any remaining questions or concerns, the Examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



Dated: December 9, 2004

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